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I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
Dated: July 12, 2006 Signature: Robert B. Cohen
(Robert B. Cohen)

Docket No.: SONYJP 3.3-373
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Miura et al.

Application No.: 10/518,973

Group Art Unit: 3629

Filed: July 29, 2005

Examiner: Not Yet Assigned

For: DEVICE AUTHENTICATION SYSTEM

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COMMUNICATION

Dear Sir:

Enclosed please find the International Preliminary Report on Patentability.

In the event there are any fees due and owing in connection with this matter, please charge same to our Deposit Account No. 12--1095.

Dated: July 12, 2006

Respectfully submitted,
Robert B. Cohen
By Robert B. Cohen
Robert B. Cohen
Registration No.: 32,768
LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK, LLP
600 South Avenue West
Westfield, New Jersey 07090
(908) 654-5000
Attorney for Applicant

PATENT COOPERATION TREATY

PCT



INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference JSONY-555PCT	FOR FURTHER ACTION		See item 4 below
International application No. PCT/JP2004/005741	International filing date (<i>day/month/year</i>) 21 April 2004 (21.04.2004)	Priority date (<i>day/month/year</i>) 21 April 2003 (21.04.2003)	
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237			
Applicant SONY CORPORATION			

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 *bis*.1(a).

2. This REPORT consists of a total of 6 sheets, including this cover sheet.

In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

3. This report contains indications relating to the following items:

- | | |
|---|---|
| <input checked="" type="checkbox"/> Box No. I | Basis of the report |
| <input type="checkbox"/> Box No. II | Priority |
| <input checked="" type="checkbox"/> Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input type="checkbox"/> Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> Box No. V | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/> Box No. VI | Certain documents cited |
| <input type="checkbox"/> Box No. VII | Certain defects in the international application |
| <input type="checkbox"/> Box No. VIII | Certain observations on the international application |

4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. +41 22 740 14 35	Date of issuance of this report 02 March 2006 (02.03.2006)
	Authorized officer Yoshiko Kuwahara Telephone No. +41 22 338 90 90

PATENT COOPERATION TREATY

Translation

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

Date of mailing
(day/month/year)

Applicant's or agent's file reference
JSONY-555PCT

FOR FURTHER ACTION
See paragraph 2 below

International application No.
PCT/JP2004/005741

International filing date (day/month/year)
21.04.2004

Priority date (day/month/year)
21.04.2003

International Patent Classification (IPC) or both national classification and IPC

Applicant
SONY CORPORATION

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☒ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/IP

Authorized officer

Facsimile No.

Telephone No.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2004/005741

Box No. 1 Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
☐ This opinion has been established on the basis of a translation from the original language into the following language
_____, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material
☐ a sequence listing
☐ table(s) related to the sequence listing
 - b. format of material
☐ in written format
☐ in computer readable form
 - c. time of filing/furnishing
☐ contained in the international application as filed.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2004/005741

Box No. III

Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non obvious), or to be industrially applicable have not been examined in respect of:

☐ the entire international application

☒ claims Nos. 2-19

because:

☐ the said international application, or the said claims Nos. _____
relate to the following subject matter which does not require an international preliminary examination (*specify*):

☒ the description, claims or drawings (*indicate particular elements below*) or said claims Nos. 2-19
are so unclear that no meaningful opinion could be formed (*specify*):

See Supplemental Box.

☒ the claims, or said claims Nos. 2-19 are so inadequately supported
by the description that no meaningful opinion could be formed.

☐ no international search report has been established for said claims Nos. _____

☐ the nucleotide and/or amino acid sequence listing does not comply with the standard provided for in Annex C of the Administrative Instructions in that:

the written form

☐

has not been furnished

☐

does not comply with the standard

the computer readable form

☐

has not been furnished

☐

does not comply with the standard

☐ the tables related to the nucleotide and/or amino acid sequence listing, if in computer readable form only, do not comply with the technical requirements provided for in Annex C-bis of the Administrative Instructions.

☐ See Supplemental Box for further details.

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/JP2004/005741

Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1. Statement			
Novelty (N)	Claims		YES
	Claims	1	NO
Inventive step (IS)	Claims		YES
	Claims	1	NO
Industrial applicability (IA)	Claims	1	YES
	Claims		NO
2. Citations and explanations:			
<p>Document 1: JP 11-316729 A (Nippon Telegraph and Telephone Corp.), 16 November 1999</p> <p>Claim 1:</p> <p>Document 1 discloses a system wherein a terminal and a card control server perform authentication, wherein the terminal receives a random number from the card control server and generates a calculation result through a calculation using a one-way function on a value that combines the received random number with a password, where the card control server obtains the random number and the terminal password and also receives the calculation results produced by the terminal and produces a calculation result that is calculated using, on the value that combines the random number and the password that have been obtained, the same one-way function that was used by the terminal, and then comparing the calculation result produced by the terminal to the calculation result produced in the card control server, to thereby perform authentication on the terminal. (See paragraphs 0002-0038 and Fig. 5.)</p> <p>Consequently, the novelty of the invention of claim 1 is refuted based on the description in claim 1.</p>			

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2004/005741

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of Box III:

The subject matter of claim 2 describes "a terminal device receiving a device authentication by the device authentication system of claim 1 characterized in that...". Herein, even if "claim 1" means "the subject matter of claim 1", "the subject matter of dependent claim" is "the subject matter of claim" containing all the features of one or more other subject matters of claims (PCT Rule 6.4 (a)). However, "a terminal device" cannot have all the features of the "device authentication system". Accordingly, the subject matter of claim 2 cannot be the subject matter of claims dependent on claim 1. Moreover, it is unclear what kind of meaning is contained in the technical feature that the terminal device receives a device authentication from a device authentication system characterized by performing authentication by a particular procedure when specifying the "terminal device". Accordingly, such a description makes the matter for specifying the invention considerably unclear.

The same applies to the subject matter of claims 3-19.